

DEC 09 2005

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Dated: December 9, 2005

Signature: Susan B. Jensen
(Susan B. Jensen)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App. No. : 10/809,761 Confirmation No. 8658
Applicant : Charles R. Stewart
Filed : March 25, 2004
TC/A.U. : 1653
Examiner : Mayer, Suzanne M.
Docket No. : 31175413-004002
Customer No. : 51738
Entitled : Antimicrobial Proteins From The SPO1 Bacteriophage

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF INVENTORSHIP

The Applicants respectfully request that the inventorship be corrected to delete the following inventor from the above-identified provisional application:

Inventor: A. Yousif Shamoo
Residence: Houston, Texas
Citizenship: United States

This omission occurred without deceptive intent on the part of the any of the inventors, including the above-identified, deleted inventors. The requisite fee is enclosed. Should there be any additional fees required, please charge such additional fees to Deposit Account 50-3420, reference 31175413-004002 (HOUMDB).

Dated: December 12, 2005

Respectfully submitted,

BAKER & MCKENZIE LLP

By Michael D. Berger

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DECLARATION OF CHARLES R. STEWART UNDER 37 CFR §1.132

I, Charles R. Stewart, Declare as follows:

I am at least 18 years of age and am competent in all respects to make the following statements.

I am the sole inventor for claims 11-15, 17, 19, 20, and 22-25 currently pending in US Patent Application No. 10/809,761.

The work presented by Sampath, et al., May 2002, was work conceived of by myself, executed under my instructions, and occurred less than 1 year prior to filing US Patent Application No. 60/457,287.

In 2004, I published data demonstrating that GP44 (SEQ ID NO: 8) is one of the class of proteins that do not cause cell lysis (Sampath, 2004). Because GP44 (SEQ ID NO: 8) does not cause cell lysis it is a good candidate peptide for antimicrobial treatment in a mammal because it will be unlikely to cause the Jarisch-Herxheimer reaction.

I further declare that all statements made herein of my own knowledge are true and made on information believed to be true; further that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of any application for which it is used.

Dated: Dec. 9, 2005

By Charles R. Stewart
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Houston, TX 77251-1892

PTO/SB/07 (09-04)

Approved for use through 07/31/2008. OMB 0661-0031

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Application No. (if known): 10/809,761

Attorney Docket No.: 31175413-004002

Certificate of Transmission under 37 CFR 1.8

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on December 9, 2005
Date

Susan B. Jensen
Signature

Susan B. Jensen

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-427-5047

Telephone Number

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Certificate of Facsimile – 1 page
Fax Cover Sheet – 1 page
Response to Office Action – 6 pages
Declaration of Charles Stewart – 2 pages
Request of Correction of Inventorship – 1 page